

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	David L. Lewis	
Serial No.:	09/879,495	
Filed:	June 12, 2001	
For:	Glassware Forming Mold and Method of Manufacture	
Art Unit:	1731	
Examiner:	Sean E. Vincent	FAX RECEIVED
Confirmation No.:	5025	OCT 03 2003
Attorney Docket No.:	17489 USA	PETITIONS OFFICE

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**REQUEST FOR WITHDRAWAL OF PETITION TO REVIVE UNDER
37 CFR 1.137(b), (c) AND (f)**

09/879,495

Sir:

Applicant filed a Petition to Revive under 37 CFR 1.137(b), (c) and (f), ("Petition"), which was stamped by the Patent and Trademark Office ("PTO") as being received on May 12, 2003. Applicant has not received a Decision on its Petition.

Applicant now requests that it be allowed to withdraw its Petition.

Remarks

At the time that Applicant filed its Petition, there was confusion surrounding the Notice of Recission of a Non-Publication Request ("Recission"). Applicant reviewed certain patent case files that it had identified as being potentially affected by the above Recission rule, based on what Applicant believed to be accurate information. As a result, a Petition was filed in the PTO for each of several patent cases, one of them being for the instant application Serial No. 09/879,495.

Upon obtaining clarifying information issued by the PTO, Applicant made a second review of the above-mentioned case files. Based on this further review with the additional information at hand, Applicant has determined that the aforesaid Petition was filed in error in that Applicant's Recission was date-stamped by the PTO as being received on April 24, 2002, and the earliest date that Applicant filed a corresponding application in a foreign country was June 6, 2002. Therefore, it was not necessary for Applicant to file a notice of foreign filing, inasmuch as the Recission was received by the PTO prior to the first filing date of a counterpart application in an eighteen-month publication country.

It is respectfully requested that the Commissioner treat application Serial No. 09/879,495 as if the non-publication request were never made in view of Applicant's foregoing comments, and

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grant Applicant's Request for Withdrawal of the Petition, and if so granted, credit Deposit Account 15-0875 of Owens-Illinois, Inc., for the Petition fee. Any fees incurred by submission of this paper should be charged to Deposit Account 15-0875.

Respectfully submitted,

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jmm

PTO/SB/97 (08-03)

Approved for use through 07/31/2006, OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Attorney Docket No.: 17489 USA
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Filed: June 12, 2001

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UNDER 37 CFR 1.137(b), (c) AND (f)

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